

# Notice of Allowability

Application No.

10/805,801

Examiner

Gay Ann Spahn

Applicant(s)

BRANCH, JESSE A.

Art Unit

3635

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a communication filed on 23 June 2006.
2. ☒ The allowed claim(s) is/are 6-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

An appeal conference was held on 22 August 2006. In view of the newly found foreign reference German Patent Application Publication No. DE 44 43 294 A1 to Koepf et al., published on March 7, 1996, PROSECUTION IS HEREBY REOPENED. An Examiner's Amendment is set forth below.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J.W. Gipple on 28 August 2006.

The application has been amended as follows:

#### **IN THE CLAIMS:**

Please amend claims 6-10, as follows:

6. (Currently Amended) A hammock support structure comprising:

a plurality of ~~round~~ or tubular sections which can be assembled into an arc shaped stand for supporting a hammock, [[and]] said plurality of tubular sections including a bottom mid section and first and second end sections attached to opposite ends of said bottom mid section at first and second joints, respectively;

foot supports attached to the bottom surface of said stand and extending perpendicularly outward therefrom~~[[:]]~~;

~~the arc shaped stand being formed of a bottom mid section, and end sections attached to opposite ends of the said bottom mid section and extending upwardly and outwardly therefrom~~

at least one of said first and second end sections, being divided, at a point commencing ~~at or near one~~ a first foot support of said foot supports, to form two ~~or more~~ prong sections extending upwardly and outwardly from said first foot support, said first foot support being connected to each of said two prong sections;

means for supporting said hammock attached toward the outer ends of said prong sections; and

detachable means to secure said arc shaped stand to said foot supports.

7. (Currently Amended) The structure of claim 6, wherein the said detachable means to secure said arc shaped stand to said foot supports are saddling wedges.

8. (Currently Amended) The structure of claim 7, wherein said bottom mid section and said end sections have aligned apertures at their said first and second joints, said aligned apertures which form forming a shaft through said stand and ~~which align~~ aligning with corresponding apertures in said saddling wedges and said foot supports.

9. (Currently Amended) The structure of claim 8, wherein a bolt is inserted into ~~[[the]]~~ said shaft extending through each of said joint first and second joints between said bottom mid section and said end sections of the stand, and said aligned apertures in the saddling wedges and said foot supports, and are secured with a nut.

10. (Currently Amended) The structure of claim 9, wherein at least one end of ~~each of said bottom mid section of end prong which extend upwardly and outwardly from prongs to~~ sections provide a plurality of support include said means for supporting said hammock, said means for supporting said hammock being located toward the outer ends of said prong sections.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Various configurations of hammocks or swing stands are shown in: (1) German Patent Application Publication No. DE 44 43 294 A1 to Koepf et al., published on March 7, 1996, discloses a hammock stand (10 in Fig. 1) having an alternative embodiment as shown in Fig. 2 which includes a forked end section with two prongs; (2) U.S. Patent No. 1,346,973 to Padden issued April 9, 1920 discloses a swing stand having a forked base structure; and (3) U.S. Patent No. 363,223 to Ferguson issued May 17, 1887 discloses a hammock stand having dual end posts extending upwardly from a support base.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Thursday, 8:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Naoko N. Slack can be reached on (571)-272-6848. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*GAS*  
Gay Ann Spahn, Patent Examiner  
August 29, 2006

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